

*Official Secrets Act*

There is another area in which I think there is far too much secrecy, and although in this particular debate I am supporting a motion from the Conservative party—and they are glad to have my support—I am coming to an area where they might not be so ready to agree with me, but I will try it anyway. I believe that in income tax matters, out of respect for the poor little fellows whose affairs should not be made public, we have gone too far in terms of total secrecy on income tax returns. It seems to me that it would make good sense for us to strike some level, such as \$50,000 a year, or what have you, and say that above that level information on people's returns should be made public. I think the same thing should apply to corporations. How many times do we find it impossible to ascertain whether the public has paid for certain expenditures of corporations because they get a deduction from their income tax because, we are told, of the secrecy provisions in the Income Tax Act?

I admit that 30 or 40 years ago I brought in a bill to remove the secrecy provisions from the Income Tax Act as a whole, and I well remember the howls I got from my friends to the right. I am prepared to modify that position and to say that for the little people the secrecy rule should stand. But when you get people making \$50,000 or \$100,000 a year, or more, when you get people with high incomes who manage to make our their returns so that they pay no income tax, I believe that they are defrauding the public and that this information should not be guarded by a cloak of secrecy. As I have said, the same thing applies to the kinds of expenses that corporations can claim for income tax purposes.

I am quite justified in putting this kind of thing in the same category with reports that are prepared for the government to help it make up its mind, with decisions that the government gets from the Department of Justice as to the validity or invalidity of certain measures, in the same way as I put the firings which take place, the reasons for hiring, and all the rest of it. There is far too much of the practice of secrecy in government today, particularly by this government, and what has happened in the Treu case is that the whole thing has been brought out into the open.

We are trying our best to get a freedom of information act passed in parliament. The government is favourable to it, and one minister after another says that it is a good idea. We have certain provisions now under the Canadian Human Rights Act where people can get certain information, but we seem to hear more about the kinds of information that cannot be obtained than we do about the kinds of information that can be obtained. Are we a free and open society or are we not? If we want to make a comparison with some other societies, maybe we are better off than they are, but in terms of our protestations about ours being a free, open, and democratic society, we are far below the mark.

Therefore, I am pleased that my friend, the hon. member for Peace River, had the opportunity to put this motion down today. I think he has made an excellent case for it. He did not indulge in intemperate rhetoric; he just stated the case as it is. The Minister of Transport has no reply, so he has made the

accusations he has made in his remarks today, but I hope that the rest of the day will witness a number of members from all sides of the House supporting the proposition that it is time we had less secrecy in this country and therefore it is time we had the kind of committee that is recommended in the motion presented by the hon. member for Peace River.

**Hon. Robert L. Stanfield (Halifax):** Mr. Speaker, I would like to say something in support of the motion moved by the hon. member for Peace River (Mr. Baldwin). I have to say that the attitude taken by the minister today is almost as hard for me to accept as the terms and scope of the Official Secrets Act as it stands in the books. I understand of course what might have prompted the Minister of Transport (Mr. Lang) to talk so much about the importance of avoiding intemperate statements. I think that is something that the minister should repeat to himself every hour on the hour for several weeks.

**Some hon. Members:** Hear, hear!

**Mr. Stanfield:** It seems to me rather amusing that he should accuse the hon. member for Peace River, one of the most moderate and soft-tongued members of the House, of rhetoric and intemperate language. I quite understand why the hon. member for Peace River would speak with some vigour about the Official Secrets Act. It needs to be attacked with some vigour. The hon. member for Peace River has not attacked the judge or the courts, as the Minister of Transport seemed to indicate. He has attacked the act and he has used some vigour in doing so, as I may myself in the course of the afternoon.

I think there are a number of considerations in connection with legislation of this sort, the Official Secrets Act. The minister has said this morning, and again this afternoon, that there is agreement that this kind of legislation is necessary, and that it exists in virtually all countries. Certainly I am prepared to agree that we need an Official Secrets Act of some limited scope. I would not contest that point with the minister. He spoke as if the act is necessary, that we need this kind of legislation that perhaps it should be looked at, and that all legislation requires some review. He ignored almost entirely the weight of committees and commissions in Canada and elsewhere upon the urgency of a thorough overhaul of this legislation.

● (1432)

First of all, there is the question as to the appropriate scope of such legislation, and what kind of information the Official Secrets Act should try to protect. As the hon. member for Peace River pointed out, this legislation is practically a copy of the British legislation. Virtually it protects all government information. It would permit prosecution for wrongful possession or transmission of practically any or all government information.

An interdepartmental committee in Britain examined this, and made a report in 1972. The committee was headed by Lord Franks. He referred to section 2 of the British act, which is equivalent to section 4 of our act. He said that the main offence which section 2 created was the unauthorized com-